

UNITED STATES OF AMERICA  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

In The Matter Of:	)	
	)	
Creation Of A	)	FCC Docket No. RM-11287
Low Power AM Radio Service	)	

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WRITTEN COMMENTS OF  
FREDERICK M. BAUMGARTNER, C.P.B.E.

I am Frederick M. Baumgartner, a Certified Professional Broadcast Engineer.

I am a fellow of the nationwide SOCIETY OF BROADCAST ENGINEERS (S.B.E.).

I am also one of the founders of, and the current Chairman of the Board of, THE NATIONAL ANTENNA CONSORTIUM (NAC). NAC is an advocacy group for more sensible Federal, State and local regulation of both commercial and individual antennas.

In addition, I am the author of the *first* Petition for Rulemaking that proposed a new Low Power AM (LPAM) Radio Service. The August 19, 2005 LPAM Petition -- which is now the subject of Docket RM-11287 -- was submitted to the Commission only after the Commission had been silent on the Baumgartner Petition for 2 years.

Indeed, the 5 signatories of the recent LPAM Petition, as well as a number of my fellow broadcast engineers, were all consulted as I drafted the Baumgartner Petition.

I commend the FCC's decision to solicit public comments on the August 19 LPAM Petition. I urge the FCC to move to the proposed rule stage of these proceedings, and then to the final rule stage of these proceedings, as expeditiously as it reasonably can.

Expeditious action to initiate LPAM is needed because the established LPFM Radio Service, as currently structured and applied, largely excludes 4 important groups:

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(A) Almost all radio *listeners* who live in or near America's largest cities,

*And*

(B) *Literally* all aspiring Low Power Radio *broadcasters* who wish to gain LPFM licenses as individuals,

*And*

(C) *Many* aspiring Low Power Radio *broadcasters* who wish to gain LPFM licenses as *new* non-profit organizations, which are ineligible for the LPFM "bonus point" awarded to non-profits with "an established record of community service",

*And*

(D) Many small suburban and rural community broadcasters.

These groups have been underserved since January of 2000, when the FCC established the current LPFM Radio Service following deliberations in Docket

99-25 (and, before that, Dockets RM-9208 and RM-9242). I believe it is in the best interest of the public to consider LPAM as a worthwhile public service enterprise.

I am aware, of course, that reasonable people can honorably disagree over details of the new LPAM Petition. Personally, while I support some aspects of the Petition, I am also skeptical toward some provisions and flatly opposed to others. Mostly, I would resist any over-complication, over-regulation or undue and unnecessary expenses except those that guarantee a broader use of LPAM and negligible interference to existing services.

Nevertheless, I will save all of my commentary on the details until I see the FCC's proposed rule, which may or may not resemble the proposals in the Petition.

The FCC should remember that it is free to modify any details of the LPAM Petition, or even to draft its own proposal "from scratch", during the proposed rule stage of these proceedings -- and, again, during its deliberations on a *final* rule. The new LPAM Petition should be viewed as a *reasonable starting point* for future deliberations.

For now, I urge the Commission to *keep the process moving* toward a proposed rule -- and then a final rule.

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Respectfully submitted,

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